

**BEFORE THE ARIZONA BOARD OF  
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF: )

ARTURO PORTALES, D.O. )

Holder of License No. 3315 for the )  
practice of osteopathic medicine in the )  
State of Arizona. )  
\_\_\_\_\_ )

**STIPULATION AND CONSENT  
ORDER FOR SURRENDER OF  
LICENSE**

**STIPULATION**

By mutual agreement and understanding, the Arizona Board of Osteopathic Examiners (hereafter "Board") and Arturo Portales, D.O. (hereinafter "Respondent"), the parties hereto agree to the following disposition to this matter.

1. Respondent acknowledges that he has read this Stipulation and Consent Order; and, Respondent is aware of and understands the content of this document.
2. Respondent understands that by entering into this Stipulation, he voluntarily relinquishes any rights to a hearing on the matters alleged as grounds for Board action or to seek judicial review of the consent order in state or federal court.
3. Respondent understands that this Stipulation and Consent Order will not become effective unless approved by the Board and signed by its Executive Director.
4. Respondent further understands that this Stipulation and Consent Order, once approved and signed, shall constitute a public record as required by A.R.S. §§ 32-1855 (K).
5. Respondent admits to the statement of facts contained in this Stipulated Consent Order.
6. All admissions made by Respondent are solely for final disposition of this matter and any subsequent administrative proceedings or litigation involving the Board, Respondent and the State of

Arizona; and, therefore, said admissions by Respondent are not intended for any other purpose or administrative regulatory proceeding or litigation in another state or federal court.

7. Respondent acknowledges and agrees that upon signing and returning this document (or a copy thereof) to the Board's Executive Director, he may not later revoke or amend this Stipulation or any part of the Consent Order, although said Stipulation has not yet been accepted by the Board and issued by its Executive Director, without first obtaining Board approval.

### **STATEMENT OF FACTS**

8. Case No. 2766 was to scheduled as an Investigative Hearing before the Board of Osteopathic Examiners in Medicine and Surgery (hereafter "Board") at a public meeting on October 14, 2000 regarding Arturo Portales, D.O. (hereafter "Respondent"); and, the Board and Respondent mutually agree to the surrender of Respondent's license.

9. The Arizona Board of Osteopathic Examiners in Medicine and Surgery is empowered, pursuant to A.R.S. § 32-1800, et seq to regulate the licensing and practice of osteopathic medicine in the State of Arizona.

10. Respondent is a licensee of the Board and the holder of License No. 3315 for the practice of osteopathic medicine in the State of Arizona.

11. Information was brought to the attention of the Board on or about April 10, 2000 that Respondent may have inappropriately been prescribing medication and controlled substances over the Internet without conducting a physical examination of the patient, maintaining adequate medical records or establishing an appropriate physician-patient relationship.

12. On April 19, 2000, the Board entered into a Stipulation and Consent Order for Restriction of License pending further investigation and an Investigative Hearing.

13. At the October 14, 2000 Board Meeting, Respondent requested that the Board to allow him to voluntarily withdraw from the practice of medicine in Arizona due to the fact that he resides in another State.

**ORDER**

Pursuant to the authority vested in the Board, **IT IS HEREBY AGREED AND ORDERED THAT:**

Arturo Portales, D.O. ("Respondent") shall voluntarily **SURRENDER** his license to practice as an osteopathic physician in the State of Arizona; and,

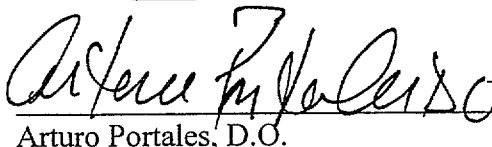
Respondent shall, within ten (10) days from the effective date of this Consent Order, return by U.S. mail or personal delivery to the Board's office all documents in his possession establishing Board licensure to practice as an osteopathic physician; and,

Respondent shall no longer engage in the practice of medicine in the State of Arizona, after the effective date of this Order.

In the event that Respondent makes application for licensure by the Board in the future, he must satisfy all of the applicable statutory and Board administrative rule requirements for licensure.

Service of this Consent Order is effective upon either personal delivery or the date of mailing, by U.S. certified mail, addressed to Respondent's last known address of record with the board. See A.R.S. § 31-1855(F).


**REVIEWED AND ACCEPTED** this 21 day of October, 2000.

  
\_\_\_\_\_  
Arturo Portales, D.O.

STATE OF ~~ARIZONA~~ <sup>Kentucky</sup> )  
County of ~~Pima~~ <sup>Fayette</sup> )

SS

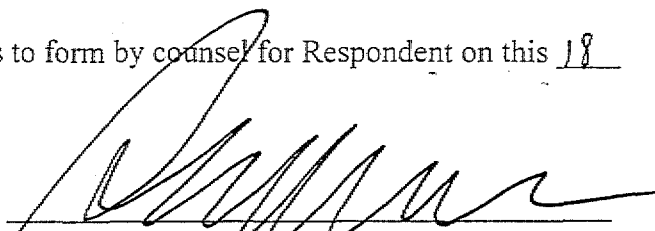
This instrument was acknowledged before me this 21 day of October, 2000 by the above-named individual.

  
Notary Public

My Commission expires:


10/25/00

REVIEWED AND APPROVED as to form by counsel for Respondent on this 18 day of October, 2000.

  
Stephen W. Myers

DATED AND EFFECTIVE this 23rd day of October, 2000.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS  
IN MEDICINE AND SURGERY

By:   
Ann Marie Berger, Executive Director  
9535 E. Doubletree Ranch Rd.  
Scottsdale AZ 85258-5539  
(602) 657-7703

Copy mailed by U.S. certified mail  
(return receipt requested) this \_\_\_\_\_  
day of October, 2000 to:

Arturo Portales, D.O.  
2529 Sungate Court  
Lexington Kentucky 40513

Copy mailed this 23<sup>rd</sup> day of  
October, 2000 to:

Stephen W. Myers, Esq.  
Myers & Jenkins  
3003 N. Central Ave., Suite 1900  
Phoenix AZ 85012

Blair Driggs  
Assistant Attorney General  
CIV/LES  
1275 W. Washington  
Phoenix AZ 85007

Tom Dennis  
Assistant Attorney General  
Solicitor General's Office  
1275 W. Washington  
Phoenix AZ 85007

Arizona Board of Pharmacy  
5060 N. 19th Ave., Suite 101  
Phoenix AZ 85015

Drug Enforcement Administration  
Attention: Diversion Section  
3010 N. 2nd St  
Phoenix AZ 85012

  
\_\_\_\_\_